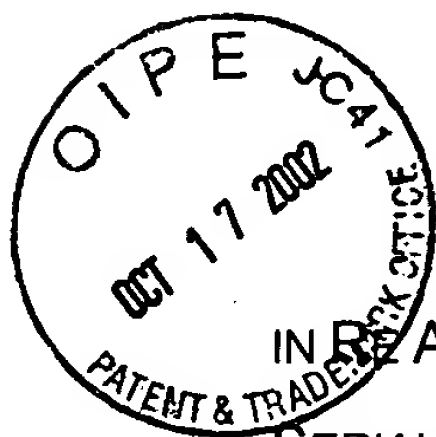


10/18/02

DA/C #1
#4

Express Mail Label No. EV 057 398 085 US

Attorney Docket No. 37167-8040.US00



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Johnson *et al.*

SERIAL No.: 09/916,214

FILED: July 25, 2001

FOR: **APPARATUS FOR DETECTING AND TREATING TUMORS
USING LOCALIZED IMPEDANCE MEASUREMENT**

EXAMINER: Unknown

ART UNIT: 3761

CONFIRMATION No.: 6833

**Petition to Revive Unintentionally Abandoned
Application under 37 CFR §1.137(b)**

RECEIVED
OCT 18 2002
OFFICE OF PETITIONS

Assistant Commissioner for Patents

Washington, D.C. 20231

12/03/2002 AKELLEY 00000009 502207 09916214

01 FC:2001 Sir: 370.00 CH

1. The applicant hereby petitions for revival of the above-identified application, which apparently became abandoned on November 8, 2001 for failure to file a response to the Notice to File Missing Parts of Nonprovisional Application mailed September 7, 2001.
2. Reply Under 37 CFR §1.137(b)(1)
Enclosed herewith is a reply to the Notice to File Missing Parts of Nonprovisional Application.
3. Fee Under 37 CFR §1.137(b)(2)
 - ☒ Fee (37 CFR 1.17(m)):
 - ☒ Small Entity: \$620.00
 - ☒ Enclosed is a check in the amount of \$620.00 covering the fee due.
Please charge any underpayment or credit any overpayment to Deposit
Account No. 50-2207.
4. Statement Under 37 CFR §1.137(b)(3)
The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR §1.137(b) was unintentional.
5. Duration of Abandonment (1203 OG 86-87, Oct. 21, 1997)
 - ☒ This petition is being filed within 3 months of the mailing date of a Notice of Abandonment. Under current USPTO practice, further information regarding the abandonment is not required.

10/21/2002 AWONDAF1 00000094 09916214

01 FC:2453

640.00 OP

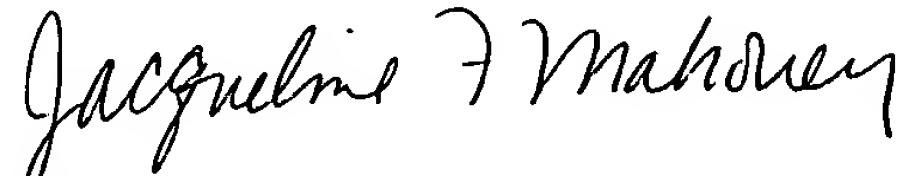
6. Terminal Disclaimer under 37 CFR §1.137(b)(4) and (c)

☒ Since this application was filed on or after June 8, 1995, no terminal disclaimer is required.

7. Additional Fees

Please charge any underpayment in fees for timely consideration of this Petition to Deposit Account No. 50-2207.

Respectfully submitted,



Jacqueline F. Mahoney
Registration No. 48,390

Date: October 17, 2002

Correspondence Address:

Customer No. 22918

Phone: (650) 838-4410